IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 14478 of 2004

Between:

1 K. Sarojana W/o. K. Balaraj
R/o. 29, BJR Nagar (Pragati Nagar), Jawahar Nagar Village,

Shamirpet Mandal, Ranga Reddy District.
2 G. Ramulamma W/o. G. Narasimha,
R/o. Plot No.30, BJR Nagar (Pragati Nagar), Jawahar Nagar

Village, Shamirpet Mandal, Ranga Reddy District.

..... PETITIONERS

AND

1 The Spl. Grande Dy. Collector & R.D.O.,

Ranga Reddy East Division, Hyderabad.
2 The Mandal Revenue Officer, Shamirpet Mandal,
Ranga Reddy District at Shamirpet.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a direction or order or Writ, more particularly one in the nature of Writ of Mandamus declaring the proposed action of the respondents to dismantle the petitioners house as arbitrary, unconstitutional and illegal, in the interest of justice.

Counsel for the Petitioners : MR.M.GOVIND REDDY

Counsel for the Respondents : ASST.GOVERNMENT PLEADER FOR REVENUE (Assignments)

The Court at the admission stage made the following :

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O R D E R :

The two petitioners allege that they are allottees of plot Nos.29 and 30 in Survey No.326 of Jawaharnagar Village, Shamirpet Mandal, Ranga Reddy District. Each plot is about
100 Square Yards. They filed the writ petition on an apprehension that respondents may dismantle the shutters in front of their plots on the ground that the plots are being used for commercial purpose. Therefore, they seek a declaration that impending action by the respondents without due process of law is illegal.

The learned Assistant Government Pleader for Revenue (Assignments) after obtaining instructions submits that respondents 1 and 2 never went to the plots of the petitioners and that the writ petition is filed without proper factual foundation. Therefore, no relief can be granted to the petitioners, as admittedly, the petitioners invoked the jurisdiction of this Court on mere apprehension. If the petitioners are in possession of the plots assigned to them, it is always open to the respondents to take action against them in accordance with law.

The writ petition, with the above observations, is dismissed. No costs.

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(V.V.S. RAO, J.)

Dt.17-08-2004.

Msr.

To

1 The Spl. Grande Dy. Collector & R.D.O.,

Ranga Reddy East Division, Hyderabad.
2 The Mandal Revenue Officer, Shamirpet Mandal,
Ranga Reddy District at Shamirpet.

3. 2CCs to THE Asst.Government Pleader for Revenue

(Assignments), High Court of A.P., Hyderabad.

4. 2CD copies

HON'BLE SRI JUSTICE V.V.S. RAO

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(Msr)